

**IN THE CLAIMS:**

*Please amend the claims as follows:*

1. (Currently amended) A method for transmitting a multimedia message, comprising:
  - making a request in a device for establishing a connection with a receiver,
  - as a response to a failed attempt for establishing ~~a~~the connection, ~~the~~device automatically starting a multimedia messaging service (MMS) ~~of the device~~ and activating a recording function of a sound clip,
  - recording a voice message as a sound clip of a multimedia message in a volatile random access memory of the device, and
  - transmitting the created multimedia message to the receiver.
2. (Currently amended) AThe method according to claim 1, wherein ~~the method~~ comprises ~~including~~ an identifier is included in the multimedia message, by which identifier the multimedia message can be identified as created automatically as a response to a failed attempt for establishing ~~a~~the connection.
3. (Currently amended) AThe method according to claim 1, wherein ~~the method~~ comprises ~~attaching~~ in the multimedia message, in addition to the sound clip, one or a combination of the following is attached in the multimedia message: text, picture, and video image or a combination of these.
4. (Currently amended) AThe method according to claim 1, wherein the multimedia message containing the recorded sound clip is automatically transmitted to the receiver.
5. (Currently amended) AThe method according to claim 1, wherein the multimedia message containing the recorded sound clip is transmitted to the receiver as a response to a confirming confirmation of the a message sending function.
6. (Currently amended) AThe method according to claim 1, wherein the multimedia message is transmitted to the a number to which the original request for establishing connection was made.

7. (Currently amended) A The method according to claim 1, wherein the multimedia message is transmitted to ~~the-a~~ voicemail box of ~~the-a~~ number to which original request for establishing a connection was made.

8. (Currently amended) A device ~~for transmitting a multimedia message~~, comprising:

~~means for making a control unit, arranged to make a request for establishing a connection targeting to~~with a receiver,

~~wherein means for starting said control unit is arranged to start a multimedia messaging service (MMS) of the device and activate for activating a recording function of a sound clip of said service automatically as a response to a failed attempt for establishing a~~the connection,

~~means for recording a random access memory, arranged to record a voice message as a sound clip of a multimedia message in a volatile random access memory of the device, and~~

~~means for transmitting a transmitter, arranged to transmit the created multimedia message to the receiver.~~

9. (Currently amended) A The device according to claim 8, wherein the device includes means for adding to the multimedia message includes an identifier indicating that the multimedia message was created automatically.

10. (Currently amended) A The device according to claim 8, wherein the device also includes means for attaching to the multimedia message, in addition to the sound clip, one or a combination of the following is attached to the multimedia message: text, picture, and video image or a combination of these.

11. (Currently amended) A The device according to claim 8, wherein the device includes means for transmitting the created multimedia message is transmitted automatically to ~~the-a~~ number of the receiver to which the original request for establishing athe connection was made.

12. (Currently amended) A The device according to claim 8, wherein the device includes means for transmitting the created multimedia message is transmitted as a response to confirming a confirmation of the a multimedia message transmission function.

13. (Currently amended) A The device according to claim 8, wherein the device includes means for transmitting the multimedia message is transmitted to the a number to which the original request for establishing athe connection was made.

14. (Currently amended) A The device according to claim 8, wherein the device includes means for transmitting the multimedia message is transmitted to a voicemail box connected to the a number to which the original request for establishing athe connection was made.

15. (Canceled)

16. (Currently amended) A computer program product having program code stored on a readable medium for execution by a processor in a device, the computer program product for transmitting a multimedia message, comprising wherein the program code comprises:

programmatic meansinstructions for making a request for establishing a connection targeting to with a receiver,

programmatic meansinstructions for starting a multimedia messaging service (MMS) of the device and for activating a recording function of a sound clip of said service automatically as a response to a failed attempt for establishing athe connection,

programmatic meansinstructions for recording a voice message as a sound clip of a multimedia message in a volatile random access memory of the device, and

programmatic meansinstructions for transmitting the created multimedia message to the receiver.

17. (New) A device, comprising:

means for making a request for establishing a connection with a receiver,

means for starting a multimedia messaging service (MMS) of the device and for activating a recording function of a sound clip of said service automatically as a response to a failed attempt for establishing the connection,

means for recording a voice message as a sound clip of a multimedia message in a volatile random access memory of the device, and

means for transmitting the created multimedia message to the receiver.